

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

In re: Case No: 08-35861
Ichor Corporation,
Debtor, Chapter 11 Case

In re: Case No: 08-35862
Blue Vessel, LLC,
Debtor, Chapter 11 Case

STATE OF MINNESOTA DISTRICT COURT

COUNTY OF WASHINGTON TENTH JUDICIAL DISTRICT
Court File No: 82-CV-08-5896

Brickwell Community Bank,

Plaintiff,

v.

RECEIVED
U.S. DISTRICT COURT
MINNESOTA
APR 1 1982
PLAINTIFF'S
ATTORNEY

Blue Vessel, LLC, Ichor Corporation,
Sarah K. Westall and Gabriel Rojas-Cardona,

Defendants.

Notice of Removal

To: The United States Bankruptcy Court, the Minnesota State District Court for the Fourth Judicial District, and the parties identified on the attached service list.

1. Sarah K. Westall and Gabriel Rojas-Cardona, by their undersigned attorneys, hereby give notice of removal of that cause of action captioned Brickwell Community Bank v. Blue Vessel LLC, Ichor Corporation, Sarah K. Westall and Gabriel Rojas-Cardona (the "State Court Action"), currently pending in the Minnesota State District Court for the Tenth Judicial District (the "State Court").

2. The State Court Action was commenced upon Sarah K. Westall and Gabriel Rojas-Cardona by service of the summons and complaint attached hereto as Exhibit A.

3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, Rule 5005 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules"), and Local Rule 1070-1. This case was commenced upon the filing of a voluntary chapter 11 petition on November 7, 2008. This case is now pending in this Court.

4. Sarah K. Westall and Gabriel Rojas-Cardona are entitled to removal of the State Court Action on the following grounds:

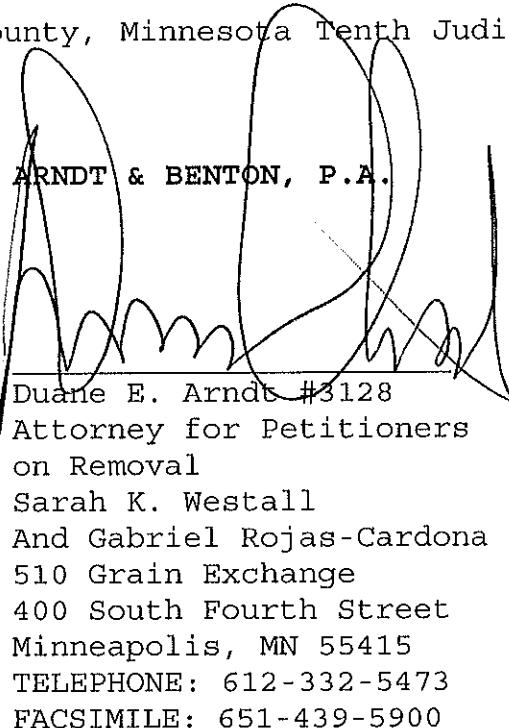
(a) The claims asserted in the State Court Action arise out transactions by the Debtors, and will necessarily affect claims against the Debtors. In particular, the plaintiff asserts that Westall and Rojas-Cardona owe the same funds as the Debtor under the terms of an alleged mortgage. The plaintiff further alleges that the consideration for such debt owed by Westall and Rojas-Cardona is also consideration against the debts owing from the debtors to Brickwell. Brickwell claims the debt that is secured by real estate owned by debtor.

(b) The claims of Brickwell in the State Court Action involve the property and rights of the debtors in the bankruptcy cases. The State Court Action is denominated as a claim against the debtors and directly affects the liability that affects the bankruptcy estates. The action of Brickwell in the State Court Action is so intertwined with matters in the bankruptcy estates as to require a single and complete resolution of all claims sought by Brickwell in a single forum, since it clearly affects two bankruptcy estates and the interests of Westall and Rojas-Cardona as claimed guarantors.

The State Court Action involves core proceedings related to the administration of the estates of the debtors, the allowance or disallowance of claims against the estates of the debtors, counterclaims by the estates of the debtors against Brickwell.

5. Upon removal, the State Court Action will become a core proceeding under 28 U.S.C. §157(b)(2)(A), (B), (K), and (O).

6. As provided in Rule 9027 of the Federal Rules of Bankruptcy Procedure, this notice will become effective, and the State Court Action removed to the United States Bankruptcy Court for the District of Minnesota, upon filing with the District Court Administrator, Washington County, Minnesota Tenth Judicial District.



CERTIFICATE OF SERVICE

STATE OF MINNESOTA)
)
) ss.
COUNTY OF WASHINGTON)

Charlene Malmgren being duly sworn says that she did deposit in the United States Mail with true and correct postage being affixed thereto on this 21st day of January, 2009, the following:

Notice of Removal,

Addressed to:

Moss & Barnett, P.A.
4000 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
Attn: Mr. Glen E. Schumann
 Mr. David P. Jendrzejek

Hinshaw & Culbertson LLP
333 South Seventh Street
Suite 2000
Minneapolis, MN 55402
Attn: Mr. Joel Nessel

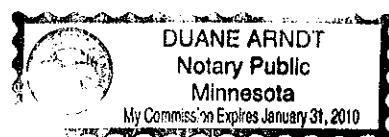
Washington County Government Center
14949 62nd Street North
Stillwater, MN 55082
Attn: Court Administrator

Signed:

Charlene Malmgren

Subscribed and sworn to before
me this 21st day of January, 2009.

Notary Public



ARNDT & BENTON, P.A.

ATTORNEYS AT LAW

510 GRAIN EXCHANGE

400 SOUTH FOURTH STREET

MINNEAPOLIS, MINNESOTA 55415

(612) 332-5473

FACSIMILE: (651) 439-5900

January 22, 2009

Reply to:
836 West Willard Street
Stillwater, Mn 55082

United States Bankruptcy Court
District of Minnesota
Warren E. Burger Fed Bldg
Suite 200
316 N. Robert Street
St. Paul, MN 55101
Attn: Clerk of Court

HAND DELIVERED

RE: Brickwell Community Bank v. Blue Vessel, LLC,
Ichor Corporation, Sarah K. Westall and
Gabriel Rojas-Cardona
Court Case Nos: 08-35861; 08-35862
Our File No: E25-4508

RECEIVED
08 JAN 22 PM/2:31
U.S. BANKRUPTCY COURT
ST. PAUL, MN

Dear Sir or Madam:

Enclosed for filing are two originals of the Notice of Removal of State Court Action, pertaining to the two above referenced Bankruptcy Court matters.

Your assistance in this matter is appreciated.

By copy of this letter, same are being served on counsel for all interested parties. We enclose our Certificate of Service for same.

Very truly yours
ARNDT & BENTON, P.A.

Duane E. Arndt

DEA/clm

Enclosure(s)

Cc: Moss & Barnette

Attn: Mr. Glen Schumann (w/encl.)

Mr. David P. Jendrzejek (w/encl.)

Hinshaw & Culbertson LLP

Attn: Mr. Joel Nessel (w/encl.)

Washington County Court Administrator (w/encl.)